

Chapter: Internal Reporting	Effective Date: 4/1/14
Title: Incident Reporting	Page: 1 of 5
ACA: 4-JCF-2A-19, 2A-30	Replaces: GAP.07.03, 11/15/13
Statute(s): 28 CFR §115.361	

(a) **Policy.**

Incidents must be properly documented and reported. Critical incidents, serious incidents, and suspected mistreatment of youth must be reported immediately to the Office of Inspector General - Incident Reporting Center (IRC).

(b) **Applicability.**

This policy applies to all TJJD staff.

(c) **Definitions.**

(1) **Abuse, Neglect, or Exploitation**--see definition in [GAP.380.9333](#).

(2) **Critical Incident**--includes any of the following:

INCIDENT TYPE	Residential Facility (TJJD-operated or contracted)	Parole (TJJD-operated or contracted)
Riot	X	
Employee work stoppage	X	
Hostage situation	X	
Man-made or natural disaster (e.g., weather emergency, loss of power exceeding 8 hours, environmental accident, serious illness affecting operations and involving large numbers of youth or staff)	X	
Escape from a residential facility	X	
Escape during secure transport	X	X
Death of a youth or on-duty staff member	X	X
Alleged sexual abuse of youth, as defined in GAP.380.9337	X	X
Alleged sexual misconduct by a youth that involves: <ul style="list-style-type: none"> o contact, including penetration, as defined in GAP.380.9503; or o touching or fondling, as defined in GAP.380.9503 	X	
Life-threatening suicide attempt, life-threatening self-harm incident, or life-threatening injury	X	X
Use of OC spray	X	
Use of deadly force by Office of Inspector General staff	X	X
Non-medical emergency situation which calls for immediate, coordinated action involving resources outside of the facility	X	

- (3) **Serious Incident**--includes any of the following:

INCIDENT TYPE	Residential Facility (TJJD-operated or contracted)	Parole (TJJD-operated or contracted)
Hospital admission of a youth for any reason	X	
Off-site emergency medical treatment of youth for any reason	X	
Off-site emergency medical treatment of a staff member resulting from an assault within a facility	X	
Emergency administration of psychotropic medication	X	
Sexual harassment (as defined in GAP.380.9337) of youth by other youth	X	
Sexual harassment (as defined in GAP.380.9337) of youth by staff, contractor, or volunteer	X	X
Discovery of a weapon or an item adapted for use as a weapon in a residential facility	X	
Discovery of an illegal weapon or firearm in a parole office		X
Discovery of drugs (including prescription drugs) that did not clearly originate from inside the facility	X	
Any incident the CLA determines is a serious offense that could result in criminal charges	X	X

- (4) **Chief Local Administrator (CLA)**--as used in this policy, the CLA is:

- (A) the superintendent or administrative duty officer (ADO), for TJJD-operated residential facilities;
- (B) the contract case management supervisor, for contract residential facilities; or
- (C) the parole supervisor, for TJJD-operated or contract parole offices.

- (5) **Life-Threatening**--an incident involving a youth who appears to be unresponsive, unconscious, not breathing, or experiencing severe respiratory distress or uncontrollable bleeding. Life-threatening incidents also include any incident that would have likely resulted in the death of a youth except for circumstances beyond the youth's control, as determined by a health care professional.

(d) **Procedures.**

(1) **Staff Responsibilities.**

Any staff member who has cause to believe that a youth has been a victim of abuse, neglect, or exploitation or who witnesses a critical or serious incident must:

- (A) notify the IRC by telephone immediately; and
- (B) notify the CLA by telephone immediately after calling the IRC.

(2) **CLA's Responsibilities.**

As soon as possible, but not later than 24 hours after being notified by staff, the CLA or designee must email the appropriate form identified below to the IRC:

- (A) Notification of Alleged Abuse, Neglect, or Exploitation, [LS-051](#); or

(B) Initial Report of Serious Incident, [CCF-350](#) (parole), [CCF-351](#) (halfway houses and contract care), or [CCF-352](#) (institutions).

(3) Automatic Reports of Possible Abuse, Neglect, or Exploitation.

The CLA or designee must submit an [LS-051](#) form for any of the following incidents, regardless of whether abuse, neglect, or exploitation is suspected or alleged.

INCIDENT TYPE	Residential Facility (TJJD-operated or contracted)	Parole (TJJD-operated or contracted)
A communication or activity that suggests an inappropriate adult-youth relationship involving a staff member, volunteer, or contractor	X	X
A life-threatening suicide attempt, life-threatening self-harm incident, or life-threatening injury	X	
A use of force which the CLA or designee believes to be in violation of agency policy	X	X
A youth's escape from a high-restriction facility	X	
A sexual contact between youth that involved penetration of the anus, mouth, or sex organ	X	
A serious medical incident that requires emergency treatment or that results in exacerbation or complication of pre-existing symptoms	X	
Any of the following youth injuries that are not clearly accidental: <ul style="list-style-type: none"> o eye injury o broken bone o loss of consciousness o loss of tooth or portions of tooth o cut requiring stitches o internal injury o eardrum injury o serious wound involving loss of skin or hair o joint injury o extensive welts and bruises o concussion diagnosed by a medical provider 	X	

Note: The list above is not intended to list all possible types of abuse, neglect, or exploitation. Due to potential that abuse, neglect, or exploitation contributed to these incidents even if none is suspected, this list of incidents must always be reported for further investigation.

(4) Austin Office Actions upon Receipt of a Report.

- (A) Upon receipt of a verbal report of alleged abuse/neglect/exploitation or a serious or critical incident, IRC staff document the report and confirm receipt by providing a tracking number to the caller when appropriate. IRC staff ensure all verbal, electronic, or hard copy reports are entered into the IRC database.
- (B) When appropriate, IRC staff immediately notify TJJD administrators of the report.
- (C) Within two workdays after receipt of a reported incident or allegation, the supervisor over the IRC or his/her designee reviews the incident and refers the case for investigation and resolution to the appropriate TJJD department, as indicated below. Reports involving separate issues which require resolution by different departments are separated and referred as appropriate.

- (i) Incidents involving criminal allegations are referred to the Office of Inspector General (OIG) for investigation and resolution.
- (ii) Incidents involving allegations of abuse, neglect, or exploitation are referred to the Administrative Investigations Department for investigation and resolution in accordance with [GAP.380.9333](#).
- (iii) Incidents involving youth grievances are referred to the Youth Rights Department and processed in accordance with [GAP.380.9331](#).
- (iv) Incidents that do not fall into any of the above categories are referred to the State Programs and Facilities Division for informational purposes and, as necessary, for corrective action.

(5) Critical Incident Debriefing.

- (A) For critical incidents, the CLA or designee must coordinate a debriefing with appropriate staff as soon as possible after the situation has been stabilized. To determine whether an incident should be classified as life-threatening, the CLA or designee consults with medical personnel.
- (B) For life-threatening incidents in institutions, the debriefing must include the health services administrator or designee.
- (C) If a criminal investigation is pending or ongoing, the debriefing may be postponed up to 72 hours until the assigned OIG investigator determines the debriefing can proceed without adversely affecting the investigation.
- (D) The debriefing is documented by taking minutes and completing the Critical Incident Debriefing Review form, [CCF-355](#) (residential facilities) or [CCF-355p](#) (parole). The debriefing must include:
 - (i) a review of staff and youth actions during the incident;
 - (ii) a review of the incident's impact on staff and youth;
 - (iii) a review of corrective actions taken and still needed; and
 - (iv) plans for improvement to avoid another similar incident.
- (E) The CLA or designee forwards electronic copies of the debriefing minutes and the completed CCF-355 or CCF-355p to designated Austin Office administrators.

(6) Routine Incident Reporting Using the CCF-225 Form.

- (A) The Incident Report form, [CCF-225](#), is used to document the following types of incidents:
 - (i) certain types of critical and serious incidents including hostage situations, death of youth, and serious injuries;
 - (ii) major rule violations by youth;
 - (iii) minor rule violations by youth that result in referral to the security unit;
 - (iv) parole rule violations;
 - (v) use of force and/or non-routine use of mechanical restraints;
 - (vi) non-routine strip searches;
 - (vii) self-referral to the security unit;
 - (viii) youth arrests; and
 - (ix) admission to and release from security unit, isolation, or detention.
- (B) The staff member completing the CCF-225 must sign and date the form.

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- (C) Except as described in (D) below, completed CCF-225 forms must be submitted as soon as possible and no later than the end of the current shift (or end of the workday for non-shift workers).
- (D) Staff who refer youth to the security unit must complete a CCF-225 form detailing the youth's behavior and submit the form to the security unit as soon as possible after the incident, but no later than 30 minutes after a youth's arrival at the security unit. If the incident report cannot be made available within 30 minutes, the security JCO VI, security case manager, or designee may extend the time limit up to 30 additional minutes. The superintendent or designee may extend the time limit up to one additional hour.
- (E) The CLA or designee reviews and signs all [CCF-225](#) forms and ensures they are entered into CCS and appropriately filed.

References: See [INS.91.91](#) for procedures on incident report writing and data entry.